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US DISTRICT COURT E.D.N.Y.

★ JUN 03 2016 ★

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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
INNOVATION VENTURES LLC, et al,

Plaintiffs,

-against-

ULTIMATE ONE DISTRIBUTING CORP., et al,

Defendants.  
-----X

12 CIV 5354 (KAM)(RLM)

**STIPULATION AND ORDER  
OF VOLUNTARY DISMISSAL  
WITH PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED, by and between Defendant-Cross Claimant Purity Wholesale Grocers, Inc. ("PWG"), and Defendant-Cross Defendant Tradeway International, Inc. d/b/a Baja Exporting, Joseph Shayota and Adriana Shayota (collectively, "Baja Defendants"), that pursuant to Federal Rules of Civil Procedure 41(a)(2) and 41(c), PWG voluntarily dismisses with prejudice and without assessment of costs or of attorney fees to either party to this Stipulation, all of their Cross-Claims against Baja Defendants.

Dated: Garden City, New York  
May 17, 2016

GOODMAN & SAPERSTEIN

By:   
Stanley R. Goodman

SELTZER CAPLAN MCMAHON VITEK

By:   
David M. Greeley

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Exporting, Joseph Shayota and Adriana  
Shayota***

IT IS SO ORDERED, this 31<sup>st</sup> day of May, 2016

          s/KAM  
HONORABLE KIYO A. MATSUMOTO  
UNITED STATES DISTRICT JUDGE

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